

1 IN THE UNITED STATES DISTRICT COURT
 2 FOR THE NORTHERN DISTRICT OF CALIFORNIA
 3

4 CLAUDE MILLER,

No. C 10-00983 SBA (PR)

5 Plaintiff,

ORDER OF TRANSFER

6 v.

7 S. GOODMAN,

8 Defendants.
 9 _____/

10 Plaintiff, a state prisoner, has filed a pro se civil rights action pursuant to 42 U.S.C. § 1983
 11 and filed an in forma pauperis application.

12 When jurisdiction is not founded solely on diversity, venue is proper in the district in which
 13 (1) any defendant resides, if all of the defendants reside in the same State, (2) the district in which a
 14 substantial part of the events or omissions giving rise to the claim occurred, or a substantial part of
 15 property that is the subject of the action is situated, or (3) a judicial district in which any defendant
 16 may be found, if there is no district in which the action may otherwise be brought. See 28 U.S.C.
 17 § 1391(b).

18 The acts complained of occurred at the California Institution for Men, which is located in the
 19 Eastern Division of the Central District of California, and it appears that the Defendants reside in
 20 that district. Venue, therefore, properly lies in that district and not in this one. See id.

21 Accordingly, in the interest of justice and pursuant to 28 U.S.C. § 1406(a), this action is
 22 TRANSFERRED to the Eastern Division of the United States District Court for the Central District
 23 of California. The Clerk of the Court shall transfer the case forthwith. All remaining motions are
 24 TERMINATED on this Court's docket as no longer pending in this district.

25 IT IS SO ORDERED.

26 DATED: 3/15/10 _____

Saundra B. Armstrong
 SAUNDRA BROWN ARMSTRONG
 United States District Judge

1 UNITED STATES DISTRICT COURT
2 FOR THE
3 NORTHERN DISTRICT OF CALIFORNIA

4 CLAUDE MILLER,

5 Plaintiff,

6 v.

7 S GOODMAN et al,

8 Defendant.

Case Number: CV10-00983 SBA

CERTIFICATE OF SERVICE

9 I, the undersigned, hereby certify that I am an employee in the Office of the Clerk, U.S. District
10 Court, Northern District of California.

11 That on March 18, 2010, I SERVED a true and correct copy(ies) of the attached, by placing said
12 copy(ies) in a postage paid envelope addressed to the person(s) hereinafter listed, by depositing said
13 envelope in the U.S. Mail, or by placing said copy(ies) into an inter-office delivery receptacle
14 located in the Clerk's office.

15 Claude Miller K83748
16 California Institute for Men State Prison
17 K-83748
18 P.O. Box 600
19 Chino, CA 91708

20 S. Goodman
21 ,

22 Dated: March 18, 2010

23 Richard W. Wieking, Clerk
24 By: LISA R CLARK, Deputy Clerk
25
26
27
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